

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, January 24, 2017**  
**Council Chambers**  
**7:30 p.m. – 8:37 p.m.**

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich (arrived at 7:32 p.m.), Day and Cook.

**ABSENT:** Councilmember Kujawa.

**ALSO PRESENT:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Gary Fields, Director of Finance; Chris Keosian, Student Liaison; Brandon Carroll, Deputy Student Liaison.

Mayor Wojahn opened the meeting at 7:30 p.m.

**Announcements:** None.

**City Manager's Report:** Mr. Somers announced the Recreation Board's Bowling Event; gave an update on the progress of the Public Works Modular Building (completion expected mid-March); said postcards for the Community Survey would be mailed this week; and reminded Council of the Four Cities Meeting tomorrow night.

**Acknowledgements:** Mayor Wojahn acknowledged Jim McFadden (reappointed to the Advisory Planning Commission), Gabriel Iriarte (reappointed to the Airport Authority) and Andrea Beaty (newly appointed to the Neighborhood Quality of Life Committee) and thanked them for their service.

**Proclamation:** Mayor Wojahn read the proclamation for the Day of Racial Healing which was observed on January 17.

**Amendments To And Approval Of The Agenda:** A motion was made by Councilmember Day and seconded by Councilmember Stullich to amend the agenda by adding a closed session at the end of the Regular Meeting. The motion passed 5 – 1 – 1 (Councilmember Nagle opposed; Councilmember Kabir abstained). A motion was made by Councilmember Stullich and seconded by Councilmember Brennan to approve the agenda as amended. The motion passed 7 – 0 – 0.

**Public Comment On Consent And Non-Agenda Items:** None.

**Presentations:**

- a. Mayor Wojahn presented a ceremonial check for the Public School Education Grant to Greenbelt Middle School, which was accepted by Principal George Covington.

- b. Gary Fields, Director of Finance, provided the Quarterly Financial Presentation to Council.

**CONSENT AGENDA: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adopt the Consent Agenda, which consisted of:**

**17-G-08            Approval of Minutes: January 3, 2017 Worksession; January 10, 2017 Regular Meeting**

**The motion passed 7 – 0 – 0.**

**ACTION ITEMS:**

**17-G-09            Approve City participation in the filing with the Federal Communications Commission (FCC) to respond to the Mobilitie, LLC Petition for Declaratory Ruling and the FCC request for comment on streamlining deployment of small cell infrastructure, including installation of poles and antennas on public land, to support continued local government control of the rights-of-way, and authorize expending up to \$5,000 in legal fees associated with preparation and development of the filing.**

Ms. Ferguson gave an overview: This is a request for approval for the City to participate in a filing with the FCC to respond to a petition filed by Mobilitie, LLC, and the FCC request for comment on streamlining the deployment of small cell infrastructure. There is a consortium of local governments working together on a response to the FCC about who should control the right-of-way and at what level the infrastructure should be regulated. The \$5,000 fee to participate is based on our population. The City has received three applications to install 75 foot tall poles in the City right-of-way. We believe that local governments should retain control in response to these applications. She added that she will be returning in February with an ordinance concerning the regulation for this type of application.

Councilmember Dennis wondered how these sites were selected and how many other locations in College Park might be chosen. Councilmember Cook said she had been in touch with County Council Member Lehman's office on this issue and received a map showing proposed locations throughout the county. Councilmember Brennan asked if issues such as the tree canopy, resident concerns, airport restrictions and health impacts would be considered.

Ms. Ferguson said the next step would be to sign a retainer agreement with special cable counsel on the joint filing and that they will share their filing before it is submitted.

**A motion was made by Councilmember Cook and seconded by Councilmember Brennan to approve City participation in the filing with the Federal Communications Commission (FCC) to respond to the Mobilitie, LLC Petition for Declaratory Ruling and the FCC request for comment on streamlining deployment of small cell infrastructure, including installation of poles and antennas on public land, to support continued local government**

**control of the rights-of-way, and authorize expending up to \$5,000 in legal fees and related expenses associated with preparation and development of the filing.**

There were no comments from the audience.

Councilmember Stullich said it is valuable for the City to participate in the consortium and our role is to make sure that siting decisions are made to minimize adverse impacts to the community.

Mayor Wojahn asked how individuals can comment on this matter. He noted that the Maryland Municipal League and National League of Cities are also taking this matter under consideration.

**The motion passed 7 – 0 – 0.**

#### **17-G-11            Appointments to Boards and Committees**

**A motion was made by Councilmember Brennan and seconded by Councilmember Stullich to reappoint Carl Patterson to the Housing Authority. The motion passed 7 – 0 – 0.**

#### **MAYOR AND COUNCIL REPORTS/COMMENTS:**

Councilmember Cook said she only found out about tonight's proposed closed session at 5:30 today, which isn't much notice. She doesn't have access to email while she is at work and prefers more advance notice.

Councilmember Nagle commented on her experience at the Women's March on Saturday.

Mayor Wojahn also commented on the Women's March. He announced that the annual Spencer Harris safety breakfast is being held on Friday.

Mr. Keosian discussed pending state legislation that would require all universities to have a polling place on campus.

**ADJOURN:** A motion was made by Councilmember Stullich and seconded by Councilmember Day to adjourn into a closed session to consider the acquisition of real property for a public purpose and matters directly related to such acquisition, to consult with Counsel on a legal matter, and to discuss a negotiating strategy before a contract is awarded. The motion passed 6 – 1 (Councilmember Nagle opposed) and the Council adjourned the regular meeting at 8:37 p.m.

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Janeen S. Miller, CMC  
City Clerk

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Date  
Approved

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Pursuant to §C6-3 of the College Park City Charter, at 8:37 p.m. on January 24, 2017, during a regularly scheduled meeting of the College Park City Council, a motion was made by Councilmember Stullich and seconded by Councilmember Day to enter into a Closed Session to: 1) Consider the acquisition of real property for a public purpose and matters directly related to such acquisition; 2) Consult with Counsel on a legal matter; 3) Discuss a negotiating strategy before a contract is awarded. The motion passed 6 – 1 (Nagle opposed) and the Council entered into the closed session at 8:39 p.m.

**Present:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, and Cook.

**Absent:** Councilmember Kujawa.

**Also Present:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chris Keosian, Student Liaison; Brandon Carroll, Deputy Student Liaison.

**Topic Discussed:** Mr. Somers and Ms. Ferguson provided an update to Council on the proposal to sell a piece of property to the City, and the request by the potential seller for a non-disclosure agreement with the City.

**Action Taken:** Council authorized the City Manager to sign a non-disclosure agreement.

**Adjourn:** A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the closed session, and at 9:20 p.m. with a vote of 7 – 0 – 0, Mayor Wojahn adjourned the closed session.